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Attorneys For Third-Party Defendant  
Wellpower Sporting Goods Co., Limited

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

\_\_\_\_\_  
HOWARD R. LAY and JOANNE LAY, his  
wife,

Plaintiff,

v.

MODELL'S SPORTING GOODS; SPARQ,  
INC., NIKE, INC., ABC, INC. (1-10), and  
John Doe (1-10), being fictitious, jointly,  
individually, and in the alternative,

Defendants.

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Civil Action No. 09-CV-04009 (LMG)

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**APPLICATION FOR AN  
EXTENSION OF TIME TO ANSWER,  
MOVE OR OTHERWISE REPLY  
PURSUANT TO LOCAL RULE 6.1(b)**

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SPARQ PRODUCTS, INC.,

Third-Party Plaintiff,

v.

WELLPOWER SPORTS CO., LIMITED,

Third-Party Defendant.

Application is hereby made pursuant to Local Rule 6.1(b) for a Clerk's Order extending the time within which third-party defendant Wellpower Sporting Goods Co., Ltd., (incorrectly sued herein as Wellpower Sports Co., Limited) ("Wellpower"), may answer, move or otherwise reply to the Third-Party Complaint (Docket Entry 23) for a period of fourteen days, up to and including January 24, 2011; and it is represented that:

1. Upon information and belief, Wellpower was served with the Third-Party Complaint via the Chief Secretary for Administration of Hong Kong SAR on or about December 20, 2010.

2. Wellpower is a Chinese corporation, having its principal place of business at Keng Kou Industrial Zone, Liao Bu Town, Dong Guan City, Guang Dong, China.

3. Wellpower's time to answer, move or otherwise reply to the Third-Party Complaint expires on or about January 10, 2011 pursuant to FED R. CIV. P. 12(a).

4. No previous extension of time for Wellpower to respond to the Third-Party Complaint has been obtained.

By: /s/ John D. Coyle

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Attorneys for Third-Party Defendant  
Wellpower Sporting Goods Co., Limited

DATED: January 10, 2011

**ORDER**

The above application is GRANTED and the time within which defendant Wellpower Sporting Goods Co., Limited shall answer, move or otherwise reply to the Third-Party Complaint is extended through and including January 24, 2011.

ORDER DATED \_\_\_\_\_, 2011

WILLIAM T. WALSH, Clerk

By: \_\_\_\_\_  
Deputy Clerk